

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MELISSA OSTRANDER, Plaintiff)
v.)
HUSSMANN CORPORATION,)
Defendant)

2006 JUL -7 A 11:21
U.S. DISTRICT COURT
CLERK'S OFFICE
CIVIL ACTION NO. 3:04-cv-30197-MAP
OF MASS.

JOINT MOTION TO POSTPONE FINAL PRE-TRIAL CONFERENCE AND TO REFER TO
MEDIATION BEFORE MAGISTRATE-JUDGE HILLMAN

Now come the parties jointly and move the court to postpone the final pre-trial conference, currently scheduled for July 13, 2006, and to refer to the case for mediation before Magistrate-Judge Timothy Hillman in Worcester. As grounds, the parties submit as follows:

1. The parties have agreed to participate in good faith in a mediated negotiation of the plaintiff's claims, and, subject to the court's approval, to mediate the case under the auspices of the District of Massachusetts ADR program and request the court refer the case to Magistrate Judge Timothy Hillman.
2. The postponement of the final pre-trial conference will not prejudice any party, and its continuance until after mediation (which may well resolve the case) will conserve the resources of the parties. Moreover, since defense counsel is empanning a jury trial on July 12th in Worcester (date certain) and it is unlikely that case will be concluded in one day, a short postponement is necessary to allow for the attendance of defense counsel.

HUSSMANN CORPORATION, Defendant

MELISSA OSTRANDER, Plaintiff

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"I HEREBY CERTIFY THAT A TRUE COPY OF THE
FOREGOING DOCUMENT WAS SERVED UPON EACH
PARTY APPEARING PRO SE AND THE ATTORNEY
OF RECORD FOR EACH PARTY BY MAIL, (IN HAND)
ON July 6, 2006

John B. Stewart